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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,676	01/15/2004	Kenny Randolph Parker	80002/US02	6075
68937	7590	01/09/2008	EXAMINER	
STEVEN A. OWEN			OH, TAYLOR V	
EASTMAN CHEMICAL COMPANY				
P.O. BOX 511			ART UNIT	PAPER NUMBER
KINGSPORT, TN 37662			1625	
			MAIL DATE	DELIVERY MODE
			01/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/758,676

Applicant(s)

PARKER ET AL.

Examiner

Taylor Victor Oh

Art Unit

1625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/07,08/07,10/07</u> . | 6) <input type="checkbox"/> Other: _____ |

Final Rejection

The Status of Claims

Claims 1-22 are pending.

Claims 1-22 are rejected.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**The rejection of Claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over
Katzschmann et al (U.S. 3,513,193) has been maintained with reasons of record on 5/1/07.**

The rejection of Claims 1-22 under 35 U.S.C. 103(a) as being unpatentable over Katzschmann et al (U.S. 3,513,193) has been maintained with reasons of record on 5/1/07.

Applicants' Argument

1. Applicants argue the following issues:
 - a. The solvent water exchange step is described as in claims 1(b), 8(b), and 18(a);

- b. Immediately drying the water-wet carboxylic acid cake after the solvent water swap as stated in claims 13 and 18;
- c. Conducting all these steps are in only one zone and/or one device as in claims 1,13, and 18;
- d. The location of the liquid exchange zone or solid liquid displacement step is after the oxidation step as in claims 1,13, and 18;
- e. Countercurrent washing is not taught as in claim 1.

The applicants' argument have been noted, but these arguments are not persuasive.

First, with respect to the first through the fifth arguments, the Examiner has noted applicants' argument. However, the prior art expressly teaches the followings(see col. 3, lines 69-75):

The separation of the terephthalic acid from the oxidation product, the solution or the suspension is effected by decanting, filtering or centrifuging the same while hot. Quite suitable therefor is a so-called "Seitz filter." Depending upon the particular work-up method and conditions employed, scaling centrifuges equipped with a washing device may also be advantageously employed.

With these teachings, it seems reasonable for the skilled artisan in the art to proceed the order of drying the water-wet carboxylic acid cake after the solvent water swap; to conduct all these steps in only one zone and/or one device; to put the location of the liquid exchange zone or solid liquid displacement step after the oxidation step; and to perform counter current washing. This is because the prior process does point out that depending on the employment of particular work-up method and conditions, centrifuges equipped with a washing devices are

applied advantageously. Furthermore, Katzschnmann et al expressly teach the process of producing terephthalic acid by oxidation of para xylene in the reactor in the presence of acetic acid solvent containing cobalt and bromine and further purifying the resultant slurry of the terephthalic acid by a filtration and/or a centrifuge process along with washing. Therefore, it would have been obvious to the skilled artisan in the art to be motivated to use scaling centrifuges equipped with a washing device in the Katzschnmann et al process for the purpose of obtaining the purified terephthalic acid acceptable for the manufacture of fibers.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taylor Victor Oh whose telephone number is 571-272-0689. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janet Andres can be reached on 571-272-0867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Taylor Victor Oh, MSD,LAC
Primary Examiner
Art Unit:1625

1/5/08